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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, No. CR 08-0567 MMC  
12 Plaintiff,  
13 v. **ORDER RE: LETTER FROM  
14 ATAULFO RAMIREZ-GOMEZ  
15 Defendant.**  
16 \_\_\_\_\_ /

17 The Court is in receipt of a letter, dated December 26, 2011, from defendant Ataulfo  
18 Ramirez-Gomez, who is presently confined in a federal correctional institute in Otisville,  
19 New York. In his correspondence, defendant requests that the Court "correct" an "error"  
20 made by the Bureau of Prisons with respect to the calculation of presentence credits.<sup>1</sup>

21 A federal prisoner who seeks to challenge the Bureau of Prison's computation of  
22 credits must first "exhaust his administrative remedies" and then "petition for judicial review  
23 of the . . . denial (if any) of credit for time served." See United States v. Checchini, 967  
24 F.2d 348, 350 (9th Cir. 1992); see also United States v. Wilson, 503 U.S. 329, 335 (1992)  
25 (holding "federal regulations have afforded prisoners administrative review of the

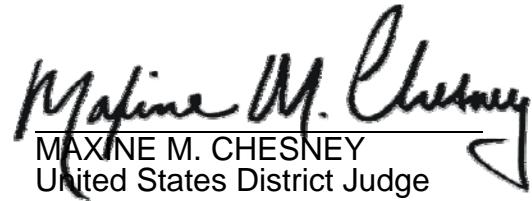
26 \_\_\_\_\_  
27 <sup>1</sup>Defendant's letter also refers to an individual whom defendant believes to be a  
28 possible threat to himself and to his family. Defendant's concerns in that regard do not  
implicate the instant criminal proceeding; accordingly, the Court takes no action thereon.  
Defendant may choose, however, to bring such matters to the attention of law enforcement  
entities.

1 computation of their sentences"). A petition for judicial review must be filed in the judicial  
2 district in which the prisoner is confined, not in the district where the prisoner was  
3 sentenced. See Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (holding "petition  
4 attacking the execution of [a prisoner's] federal sentence" must be filed "in the district  
5 where he is confined").

6 Accordingly, defendant's request is hereby DENIED, without prejudice to  
7 defendant's filing a motion in the district in which he is confined, following his exhaustion of  
8 administrative remedies.

9 **IT IS SO ORDERED.**

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11 Dated: January 10, 2012

  
MAXINE M. CHESNEY  
United States District Judge

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